

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:23-cv-07292-MCS-AJR

Date: August 19, 2024

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Title: Gerry Dewayne Williams v. Sergeant McNeal, et al.

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DOCKET ENTRY: **ORDER TO SHOW CAUSE RE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO PROVIDE A CURRENT ADDRESS**

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PRESENT:

**HONORABLE A. JOEL RICHLIN, UNITED STATES MAGISTRATE JUDGE**

Claudia Garcia-Marquez

Deputy Clerk

None

Court Reporter/Recorder

None

Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF:

None Present

ATTORNEYS PRESENT FOR DEFENDANT:

None Present

**PROCEEDINGS: (IN CHAMBERS)**

On August 30, 2023, Gerry Dewayne Williams, a California state prisoner proceeding *pro se* (“Plaintiff”), filed a Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 (the “Complaint”). (Dkt. 1.) On December 26, 2023, the Court ordered service of the Complaint. (Dkt. 11.) On April 24, 2024, Defendants filed an Answer to the Complaint. (Dkt. 19.) On April 25, 2024, the Court issued a Scheduling Order setting deadlines in the case. (Dkt. 21.) On July 31, 2024 the Court held a discovery status conference and ordered the parties to return on August 21, 2024 for a further status conference. (Dkt. 32.)

On August 14, 2024, the Court’s order scheduling a further status conference was returned as undeliverable with the notation “Inmate Discharged/Inactive.”

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(Dkt. 35 at 1.) Further, CDCR’s California Incarcerated Records and Information Search (CIRIS) shows no results for Plaintiff’s CDCR number.<sup>1</sup>

Plaintiff is advised that pursuant to the Central District’s Local Rule 41-6, he has an obligation to keep the Court informed of his current address of record or the Court may dismiss this action:

***L.R. 41-6 Dismissal - Failure of Pro Se Plaintiff to Keep Court Apprised of Current Address.*** A party proceeding *pro se* must keep the Court and all other parties informed of the party’s current address as well as any telephone number and email address. If a Court order or other mail served on a *pro se* plaintiff at his address of record is returned by the Postal Service as undeliverable and the *pro se* party has not filed a notice of change of address **within 14 days of the service date of the order or other Court document**, the Court may dismiss the action with or without prejudice for failure to prosecute.

C.D. Cal. L.R. 41-6.

The Court cannot communicate with Plaintiff without an accurate address. Plaintiff is therefore **ORDERED TO SHOW CAUSE** by **August 30, 2024** why the Court should not recommend that this action be dismissed with prejudice pursuant to Local Rule 41-6 for Plaintiff’s failure to provide a current address. Plaintiff may satisfy this Order by filing a response with a current address.

**If Plaintiff no longer wishes to pursue his claims, he may request a voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a). A Notice of Dismissal form is attached for Plaintiff’s convenience. Plaintiff is warned that the failure to timely file a response to this Order will**

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<sup>1</sup> <https://apps.cdcr.ca.gov/ciris/search>, search “D77087.”

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**result in a recommendation that this action be dismissed with prejudice for failure to prosecute and obey court orders pursuant to Federal Rule of Civil Procedure 41(b).**

IT IS SO ORDERED.

Attachment:

CV-09, Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c).